

WYC:SD

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

M-10-1177

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UNITED STATES OF AMERICA

- against -

ALRA NOEL SALMON,

COMPLAINT AND AFFIDAVIT
IN SUPPORT OF APPLICATION
FOR ARREST WARRANT

(T. 8, U.S.C.,
§§ 1326(a) and
1326(b)(2))

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

JORGE URENA, being duly sworn, deposes and states that he is a Deportation Officer with United States Immigration and Customs Enforcement ("ICE"), duly appointed according to law and acting as such.

On or about August 2, 2010, within the Eastern District of New York and elsewhere, the defendant ALRA NOEL SALMON, an alien who had previously been deported from the United States after a conviction for an aggravated felony, was found in the United States without the Secretary of the United States Department of Homeland Security, successor to the Attorney General of the United States, having expressly consented to such alien's applying for admission.

(Title 8, United States Code, Section 1326(b)(2)).

The source of your deponent's information and the grounds for his belief are as follows:^{1/}

1. I am a Deportation Officer with ICE and have been involved in the investigation of numerous cases involving the illegal re-entry of aliens. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the ICE investigative file, including the defendant's criminal history record; and from reports of other law enforcement officers involved in the investigation.

2. On or about July 21, 2010, ICE officials provided the New York State Division of Criminal Justice Services ("NYSDCJS") with a list of aliens who had been previously removed from the United States. ICE requested that NYSDCJS search its records to determine which of these aliens had been arrested by state authorities in New York on a date subsequent to their removal from the United States.

3. On or about August 2, 2010, after receiving the requested information from NYSDCJS, ICE learned that the defendant ALRA NOEL SALMON had been arrested by the New York City Police Department ("NYPD"), 67th Precinct, in Brooklyn, New York, on November 9, 2009. The defendant was arrested on that date and

^{1/} Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all of the relevant facts and circumstances of which I am aware.

charged with Driving While Intoxicated in violation of Section 1192.3 of the New York Vehicular Traffic Law. The defendant pled guilty on November 9, 2009 to Driving While Impaired, in violation of Section 1192.1 of the New York Vehicular Traffic Law.

4. According to ICE records, the defendant, a citizen of Jamaica, had been previously removed from the United States on May 15, 2000.

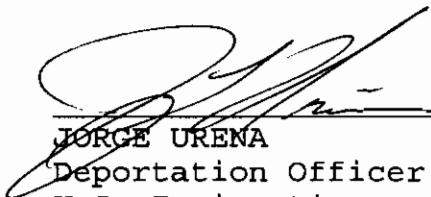
5. ICE officials further determined, based on the criminal history report, that on or about November 16, 1999, the defendant had been convicted of Illegal Re-Entry into the United States in violation of 8 U.S.C. Section 1326(a), an aggravated felony offense. Previously, the defendant was removed from the United States on August 26, 1995 after a December 11, 1991 conviction for Grand Larceny in the Third Degree in violation of Florida Penal law.

6. An ICE official with fingerprint analysis training compared the fingerprints taken in connection with the defendant's arrest underlying his December 11, 1991 conviction; the fingerprints taken in connection with the defendant's August 26, 1995 removal; the fingerprints taken in connection with the defendant's May 15, 2000 removal; and the fingerprints taken in connection with the defendant's November 9, 2009 arrest, and

determined that all three sets of fingerprints were made by the same individual.

7. A search of ICE records has revealed that there exists no request by the defendant for permission from the Secretary of the United States Department of Homeland Security, successor to the Attorney General of the United States, to reapply for admission to reenter the United States after removal.

WHEREFORE, your deponent respectfully requests that an arrest warrant be issued for the defendant ALRA NOEL SALMON, so that he may be dealt with according to law.



JORGE URENA
Deportation Officer
U.S. Immigration and Customs
Enforcement

Sworn to before me this
8th day of October, 2010

R.
GE